

REMARKS

Entry of this Amendment and reconsideration are respectfully requested in view of the amendments to the claims and for the remarks made herein.

Claims 2-16, 18 and 20 are pending and stand rejected.

In response to the Appeal Brief filed in this matter, prosecution has been reopened. The Office Action states that "upon further consideration a new ground(s) of rejection is made in view of WFU in view of Papier (US 2002/0021828).

However, a review of the instant Office Action fails to provide any reason for which the claims stand rejected under the new ground(s) of rejection. Applicant respectfully requests that the Office either provide a reason for rejecting the claims or withdraw the rejection.

Claims 3-6, 8, 10-16, 18 and 19 stand rejected under 35 USC 112, first paragraph as failing to comply with the written description in that claims 5 and 6 fail to describe the claim element "wherein Using comprises verifying that a diagnostic finding is encoded with a language identifier indicative of a match with an operator desired reporting language before adding the diagnostic finding to a report."

Applicant respectfully disagrees with and explicitly traverses the reason for rejecting the claims.

Applicant would point out that the flowchart in Figure 4 discloses reviewing text and adding the text to the SRL. The written description describes the processing shown in Figure 4 states that "[n]ext, in step 412, the translated findings may be formally approved by one or more multi-lingual physicians or otherwise qualified individuals. Once the set of diagnostic findings associated with text generated in the secondary reporting language or SRL have been approved, each of the diagnostic findings may be associated with a language code as indicated in step 414." (see page 15, lines 6-11). See also, page 10, line 22-page 11, line 4, which state "[t]he new diagnostic findings and its associated text can be provided in the default reporting language (PAL) or the operator may elect to add a diagnostic finding in a secondary reporting language (SRL) different from the language used by the user interface 110... Preferably, the operator associates the new diagnostic in a displayed list or set of diagnostic findings appropriate to include in a

diagnostic report ... of the anatomy presented in the images being analyzed. In addition, the configuration manager ... is configured to permit authorized operators to edit the text filed associated with a particular finding. The text of a particular finding cannot be changed after it has been used in a report. The reporting physician is free to add a new code with an associated text field via the configuration manger... In addition, the reporting physician can remove undesired finding codes from her reporting profile. This functionality permits a multi-lingual reporting physician the flexibility to modify quantitative language in his or her preferred reporting language." See also, page 18, lines 13-15, which state "Each diagnostic finding stored in the data storage device 105 is encoded with information indicative of the language used by the reporting physician in the text that describes the particular diagnostic finding." (emphasis added).

Hence, the written description provides sufficient teachings for one skilled in the art to understand that an entry includes a language code and a user can approve the language code before storing the entry, as is recited in the claims.

With regard to claim 19, applicant submits that the written description states that "[t]he medical report generator 100 is a source program, executable program, script or an other entity comprising a set of instruction to be performed." (see page 6, lines 22-24). Those skilled in the art would thus understand the software would be able to perform the processing described in the written description and the claims.

For at least this reason, applicant submits that the reason for the rejection has been overcome and respectfully requests that the rejection be withdrawn.


With regard to the rejection of claim 2 under 35 USC 102(a) as being anticipated by Wake Forest University (WFU) and the rejection of claims 7 and 9 under 35 USC 103(a) as being unpatentable over WFU, applicant submits that the arguments presented in the Appeal Brief are applicable to the rejection of these claims, and reasserted, as if in full.

For the arguments made in the Appeal Brief, applicant submits that the rejection of claims 2, 7 and 9 have been overcome and respectfully requests the rejections be withdrawn.

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

Respectfully submitted,

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Date: November 20, 2006

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